

ENTERED

Stacy H. C. Jones
United States Bankruptcy Judge

DOCS NY:44531.2 36027/003

Upon consideration of the *Stipulation Regarding Briefing Schedule for HCMFA's Second Motion to Amend* [Docket No. 97] (the "Stipulation")² entered into by and between Highland Capital Management L.P. ("Highland") and Highland Capital Management Fund Advisors, L.P. ("HCMFA", and together with Highland, the "Parties"), it is **HEREBY ORDERED THAT:**

1. The Stipulation, a copy of which is attached hereto as **Exhibit A**, is **APPROVED**.
2. A response to the Second Motion to Amend (the "Response") shall be filed on or before **December 30, 2021**, unless otherwise agreed in writing by the Parties.
3. A reply to the Response shall be filed on or before **January 7, 2022**, unless otherwise agreed in writing by the Parties.
4. All deadlines set forth above are effective as of **5:00 p.m. (Central Time)** on each applicable date.
5. The Stipulation shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.
6. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of the Stipulation and this Order.

###End of Order###

² Capitalized terms not otherwise defined in this Order shall have the meanings ascribed to them in the Stipulation.

EXHIBIT A

PACHULSKI STANG ZIEHL & JONES LLP

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Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

In re:

HIGHLAND CAPITAL MANAGEMENT, L.P.,¹

Reorganized Debtor.

HIGHLAND CAPITAL MANAGEMENT, L.P.,

Plaintiff,

vs.

HIGHLAND CAPITAL MANAGEMENT
FUND ADVISORS, L.P.,

Defendants.

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Chapter 11

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Case No. 19-34054-sgj11

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Adversary Proceeding No.

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Case No. 21-03004-sgj

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¹ The Reorganized Debtor's last four digits of its taxpayer identification number are (6725). The headquarters and service address for the above-captioned Reorganized Debtor is 100 Crescent Court, Suite 1850, Dallas, TX 75201.

**STIPULATION REGARDING BRIEFING SCHEDULE FOR
HCMFA'S SECOND MOTION TO AMEND**

This stipulation (the “Stipulation”) is made and entered into by and between Highland Capital Management L.P. (“Highland” or the “Reorganized Debtor”) and Highland Capital Management Fund Advisors, L.P. (“HCMFA,” and together with Highland, the “Parties”), by and through their respective undersigned counsel, in connection with the above-captioned adversary proceeding (the “Adversary Proceeding”).

RECITALS

WHEREAS, on October 16, 2019 (the “Petition Date”), Highland filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in the Bankruptcy Court for the District of Delaware, Case No. 19-12239 (CSS) (the “Delaware Court”);

WHEREAS, on December 4, 2019, the Delaware Court entered an order transferring venue of Highland’s Bankruptcy Case to this Court [Bankr. Docket No. 186];²

WHEREAS, on February 22, 2021, the Bankruptcy Court entered the *Order (i) Confirming the Fifth Amended Plan of Reorganization (as Modified) and (ii) Granting Related Relief* [Bankr. Docket No. 1943] (the “Confirmation Order”) which confirmed the *Fifth Amended Plan of Reorganization of Highland Capital Management, L.P., as Modified* [Bankr. Docket No. 1808] (the “Plan”);

WHEREAS, the Plan went Effective (as defined in the Plan) on August 11, 2021, and Highland is the Reorganized Debtor (as defined in the Plan) since the Effective Date. *See Notice of Occurrence of Effective Date of Confirmed Fifth Amended Plan of Reorganization of Highland Capital Management, L.P.* [Bankr. Docket No. 2700];

² Refers to the docket number maintained in the Bankruptcy Case.

WHEREAS, on September 7, 2021, the Court entered its *Order Approving Stipulation Governing Discovery and Other Pre-Trial Issues* [See Docket No. 68]³ (the “Scheduling Order”), pursuant to which discovery and pretrial matters in the Adversary Proceeding are consolidated;

WHEREAS, on November 30, 2021, HCMFA filed *Defendant's Second Motion for Leave to Amend Answer and Brief in Support Thereof* [Docket No. 82] (“HCMFA’s Second Motion to Amend”);

WHEREAS, a hearing on HCMFA’s Second Motion to Amend is scheduled for **January 10, 2022 at 9:30 a.m. CT** [Docket No. 89]; and

WHEREAS, the Parties have conferred and desire to enter into a mutually agreeable proposed scheduling order regarding HCMFA’s Second Motion to Amend, as specifically set forth below.

NOW, THEREFORE, it is hereby stipulated and agreed, and upon approval of this Stipulation by the Court, it shall be SO ORDERED:

1. A response to the Second Motion to Amend (the “Response”) shall be filed on or before **December 30, 2021**, unless otherwise agreed in writing by the Parties.
2. A reply to the Response shall be filed on or before **January 7, 2022**, unless otherwise agreed in writing by the Parties.
3. All deadlines set forth above are effective as of **5:00 p.m. (Central Time)** on each applicable date.
4. If approved by the Court, this Stipulation shall only be modified in a writing signed by the Parties or upon the entry of an order of the Court entered upon notice to the Parties.

³ Refers to the docket maintained in the Adversary Proceeding.

5. The Court shall retain jurisdiction over all disputes arising out of or otherwise concerning the interpretation and enforcement of this Stipulation.

Dated: December 21, 2021.

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*Counsel for Highland Capital Management Fund
Advisors, L.P.*

United States Bankruptcy Court
Northern District of Texas

Highland Capital Management, L.P.,

Plaintiff

Adv. Proc. No. 21-03004-sgj

Highland Capital Management Fund Advisor,

Defendant

CERTIFICATE OF NOTICE

District/off: 0539-3

User: admin

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Date Rcvd: Dec 23, 2021

Form ID: pdf001

Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 25, 2021:

Recip ID	Recipient Name and Address
dft	+ Highland Capital Management Fund Advisors, L.P., K&LGates LLP, c/o Stephen G. Topetzes, 1600 K Street, NW, Washington, DC 20006-2806

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
ust	+ Email/Text: ustregion06.da.ecf@usdoj.gov	Dec 23 2021 20:54:00	United States Trustee, 1100 Commerce Street, Room 976, Dallas, TX 75242-0996

TOTAL: 1

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 25, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 23, 2021 at the address(es) listed below:

Name	Email Address
Davor Rukavina	on behalf of Defendant Highland Capital Management Fund Advisors L.P. drukavina@munsch.com
Julian Preston Vasek	on behalf of Defendant Highland Capital Management Fund Advisors L.P. jvasek@munsch.com
Juliana Hoffman	on behalf of Creditor Committee Official Committee of Unsecured Creditors jhoffman@sidley.com

District/off: 0539-3

User: admin

Page 2 of 2

Date Rcvd: Dec 23, 2021

Form ID: pdf001

Total Noticed: 2

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Paige Holden Montgomery

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TOTAL: 6